



The Public Service Commission State of South Carolina

Charles L.A. Terreni
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March 17, 2006

Charles L.A. Terreni, Chief Clerk
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: Docket No. 2005-354-A

Dear Mr. Terreni:

Enclosed please find the Public Service Commission Staff's Petition for Reconsideration to Conform Regulation to Existing Statutes for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Jocelyn G. Boyd". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jocelyn G. Boyd
Deputy Clerk

cc: Florence Belser, Esquire
Len S. Anthony, Esquire
Margaret M. Fox, Esquire
Randolph R. Lowell, Esquire
Darra Cothran, Esquire
Patrick W. Turner, Esquire
Stan J. Bugner
William F. Austin, Esquire
Richard L. Whitt, Esquire
Docket Management System

**BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

In Re:)	
)	
Revisions to Article 8 of the Commission's Regulations)	Docket No. 2005-354-A
)	
)	
)	

**PETITION FOR RECONSIDERATION TO CONFORM
REGULATION TO EXISTING STATUTES**

Pursuant to 26 S.C. Code Ann. Regs. 103-881 (1976 & Supp. 2005), Jocelyn Boyd and David Butler (Commission Staff) move for reconsideration of Commission Order No. 2006-158 (Order) issued March 14, 2006. The Commission Staff requests that the Commission reconsider its Order to conform 26 S.C. Code Ann. Regs. 103-841 (renumbered as 26 S.C. Code Ann. Regs. 103-830 in the Proposed Regulations filed with the Legislative Council) to the law governing service of complaints as found in Title 58 of the South Carolina Code. The Commission Staff seeks a limited reconsideration of the Commission's Order solely for conforming 26 S.C. Code Ann. Regs. 103-841 to existing statutes. As promulgated, Regulation 103-841 is not consistent with existing law.

WHEREFORE, the Commission Staff requests that the Commission issue an Order of reconsideration:

Promulgating Regulation 103-841 (n/k/a Regulation 103-830) with its existing language, with the exception of the replacement of the phrase "Executive Director" with the phrase "Chief Clerk" and including the deletion of Subsection (A), as was previously promulgated. (See Exhibit A attached)

Dated this 17th day of March, 2006.

By: Jocelyn G. Boyd
Jocelyn G. Boyd, Esquire
jocelyn.boyd@psc.sc.gov
Deputy Clerk
South Carolina Public Service Commission
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David Butler, Esquire
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Senior Counsel
South Carolina Public Service Commission
101 Executive Center Drive, Suite 101
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EXHIBIT A

103-84130. Filing and Service of Pleadings.

All pleadings shall be filed with the ~~Executive Director~~ Chief Clerk of the Commission and served on the Office of Regulatory Staff.

~~A. Service of Applications. If a person other than the applicant is named in an application, the Executive Director will cause to be mailed to that person a copy of the notice of filing within ten days of the filing date. The person, other than the applicant, shall file its answer, if required, within twenty days of the receipt of the notice of filing.~~

B. Service of Complaints and Answers.

(1) A complainant requesting a hearing shall file the complaint with the ~~Executive Director~~ Chief Clerk. ~~The Executive Director~~ Chief Clerk shall mail a copy of the complaint to the defendant within 14 days of filing.

(2) The defendant shall serve its answer on the complainant and shall file its answer with certification of service with the Commission within 30 days of receipt of the complaint, unless an extension of time is granted for good cause shown. Any defendant failing to file its answer within such period, unless an extension of time is granted, shall be deemed in default and all relevant facts stated in such complaint may be deemed admitted.

C. Service of Petitions and Answers.

(1) If a person other than the petitioner is named in a petition for a declaratory order or in a petition for a rule to show cause, the ~~Executive Director~~ Chief Clerk shall cause a copy of the petition to be mailed to such named person within 14 days of the filing of the petition.

(2) The person named in a petition for a declaratory order or in a petition for a rule to show cause shall serve its answer on the petitioner and shall file its answer with certification of service with the ~~Executive Director~~ Chief Clerk within 30 days of the receipt of the petition from the ~~Executive Director~~ Chief Clerk unless an extension of time is granted for good cause shown.

(3) A person filing a petition to intervene or a party of record filing a petition for rehearing or reconsideration shall file the petition with certification that service of the petition has been made on all parties of record. The ~~Executive Director~~ Chief Clerk shall make available to the person seeking to intervene a service list consisting of the names of all parties of record.

D. Service of Amendments. Any amendment to a pleading shall be served and answered, if applicable, according to the requirements specified herein for the type of pleading sought to be amended.